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18 UNITED STATES DISTRICT COURT  
19 DISTRICT OF NEVADA

20 Julius Bradford,

21 Petitioner,

22 Case No. 2:13-cv-01784-RFB-EJY

23 v.

24 William Gittere, et al.,  
**Joint Prehearing  
Scheduling Order**

25 Respondents.  
26

## ORDER

The Court has set an evidentiary hearing regarding the merits of Ground Two in Mr. Bradford's second amended petition. ECF No. 124. It is hereby ordered that counsel for the parties will comply with the following prehearing procedures:

1. **Pre-hearing motions.** No later than twenty-one (21) days prior to the hearing, the parties shall file any relevant pre-hearing motions. The parties shall file oppositions to pre-hearing motions no later than fourteen (14) days prior to the hearing. The parties shall file replies in support of pre-hearing motions no later than seven (7) days prior to the hearing.

**2. The exchange of preliminary witness and exhibit lists and evidentiary stipulations.** No later than twenty-one (21) days prior to the hearing, counsel shall meet and confer either in person or by telephone and shall exchange preliminary exhibit and witness lists. The preliminary witness lists shall include disclosures of anticipated expert witnesses, if any, along with written reports containing the information described in Federal Rule of Civil Procedure 26(a)(2)(B). The parties shall also exchange (either in person or indirectly, including via email) any exhibits not already possessed by opposing counsel. The parties shall also discuss stipulations as to the authenticity of proposed exhibits and any anticipated evidentiary objections.

**3. Meet-and-confer regarding the final witness and exhibit lists and evidentiary objections.** No later than sixteen (16) days prior to the hearing, counsel shall again meet and confer to discuss their anticipated final witness and exhibit lists and evidentiary objections.

**4. The final witness and exhibit lists and evidentiary objections.**

No later than fourteen (14) days prior to the hearing, counsel shall jointly file a consolidated final list of the witnesses and exhibits to be offered jointly and/or by each party. The list shall identify any evidentiary objections that may be anticipated in

1 advance of the hearing. No party will be allowed to introduce over objection any wit-  
2 ness or exhibit not listed in the final witness and exhibit list, except that a party may  
3 file a supplement no later than seven (7) days prior to the hearing listing evidence in  
4 response to any witness or exhibit identified for the first time in the final list. No  
5 objection that may be anticipated in advance of the hearing will be preserved unless  
6 raised in the final list.

7       **5. Other housekeeping matters.** The hearing is currently set to be con-  
8 ducted by videoconference. The Court directs the parties to jointly contact the Court-  
9 room Administrator no later than fourteen (14) days prior to the hearing to discuss  
10 the logistics of the videoconference hearing. The Court anticipates the hearing may  
11 take up to a full day. If counsel anticipate the hearing will run longer than one full  
12 day, or if counsel have other housekeeping matters to address regarding the hearing,  
13 they will discuss those issues with the Courtroom Administrator at the same time.

14       **6. Prisoner transport order and subpoenas of non-prisoner wit-  
15 nesses.** The hearing is currently set to be conducted by videoconference. No later  
16 than fourteen (14) days before the hearing, Petitioner's counsel will submit an order  
17 directing the Nevada Department of Corrections to secure Petitioner's attendance at  
18 the videoconference hearing. Any party wishing to call any other prisoner to testify  
19 shall submit a similar order by the same date. No continuance will be granted for  
20 failure to secure the video attendance of Petitioner or any other prisoner unless an  
21 order to compel attendance was timely sought. Similarly, no continuance will be  
22 granted for failure to secure the video attendance of a non-prisoner witness who was  
23 not seasonably subpoenaed.

24       **7. Pre-hearing briefs.** No later than seven (7) days prior to the hearing,  
25 counsel for Petitioner and for Respondents each will file a pre-hearing brief setting  
26 forth the evidence and the legal arguments they expect to present at the evidentiary  
27 hearing.

8. **Exhibit binders.** No later than seven (7) days prior to the hearing, counsel for Petitioner and Respondents shall provide the Courtroom Administrator with one binder or set of exhibit binders, along with an electronic copy.

Respectfully submitted June 24, 2020.

Rene L. Valladares  
Federal Public Defender

Aaron D. Ford  
Nevada Attorney General

/s/ *Jeremy C. Baron*  
Jeremy C. Baron  
Assistant Federal Public Defender

/s/ *Gerri Lynn Hardcastle*  
Gerri Lynn Hardcastle  
Deputy Attorney General

## ORDER

IT IS SO ORDERED:



RICHARD F. BOULWARE, II  
United States District Judge

Dated: July 21, 2020